

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

MAGNOLIA ISLAND PLANTATION	§	CIVIL ACTION NO: 5:18-cv-01526
L.L.C. and BARBARA MARIE CAREY	§	
LOLLAR	§	
Plaintiffs	§	
	§	
VS	§	CHIEF JUDGE S. MAURICE HICKS, JR.
	§	
LUCKY FAMILY, L.L.C., W.A. LUCKY,	§	
III, and BOSSIER PARISH SHERIFF	§	
JULIAN C. WHITTINGTON	§	
	§	MAGISTRATE JUDGE KAREN HAYES
Defendants	§	Jury Trial Demanded

**BARBARA LOLLAR AND MAGNOLIA ISLAND PLANTATION, L.L.C.’s
MOTION FOR LEAVE TO FILE AMENDED AND CORRECTED RESPONSE IN
OPPOSITION TO W.A. LUCKY, III’S MOTION FOR SUMMARY JUDGMENT**

Now into Court, through undersigned counsel, comes plaintiff Barbara Marie Carey Lollar (“Mrs. Lollar”) and Magnolia Island Plantation, L.L.C. (“Magnolia”) who respectfully file this Motion for Leave to File Amended and Corrected Response In Opposition to W.A. Lucky, III’s Motion for Summary Judgment, asserting as follows:

1.

Mrs. Lollar and Magnolia filed, at Rec. Doc. 106, their Opposition to W.A. Lucky, III’s Motion for Summary Judgment, including a Response to W.A. Lucky, III’s Statement of Undisputed Facts.

2.

Counsel for Mrs. Lollar and Magnolia noticed an error at paragraph 1 of their Response to W.A. Lucky, III's Statement of Undisputed Facts which they seek to correct with the Amended Response to W.A. Lucky, III's Statement of Undisputed Facts attached to this Motion.

3.

In addition, Counsel for Mrs. Lollar and Magnolia noticed a typographical error in the title of its Memorandum in Opposition to W.A. Lucky, III's Motion for Summary Judgment filed at Rec. Doc. 106 where the title inadvertently states it is in opposition to Lucky Family, LLC's Rule 56 Motion, rather than W.A. Lucky, III.

4.

Mrs. Lollar and Magnolia wish to correct these errors with the amended documents attached hereto. The Exhibits filed with Rec. Doc. 106 have not been changed, however they are included again as attached to the proposed amended documents.

5.

Counsel for Mrs. Lollar and Magnolia notified opposing counsel of these proposed corrections by email the day after Rec. Doc. 106 was filed. Counsel for W.A. Lucky, III has represented that they do not oppose making the proposed amendment reserving their right to disagree with any factual dispute presented by the correction to the Response to W.A. Lucky, III's Statement of Undisputed Facts. Counsel for other parties have not consented or responded in opposition to the proposed correction.

WHEREFORE, Mrs. Lollar and Magnolia prays that this Motion for Leave of Court be granted allowing the filing of the attached corrected and amended filings to the documents referenced which were previously submitted as Rec. Doc. 106.

Respectfully submitted by,

/s/ J. Davis Powell
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing was filed electronically with the Clerk of Court using the CM/ECF filing system, and notice of the same will be sent to all counsel of record by operation of the court's electronic noticing system.

Shreveport, Louisiana, on this 25th day of January, 2020.

s/ J. Davis Powell
OF COUNSEL